



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

603 424-3531

Fax 603 424-1408

[www.merrimacknh.gov](http://www.merrimacknh.gov)

## RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT

WEDNESDAY, FEBRUARY 27, 2013

MATTHEW THORNTON ROOM

**Members present:** Phil Straight, Fran L'Heureux, Tony Pellegrino, Kevin Shea, and Alternate Leonard Worster.

**Members absent:** Patrick Dwyer, Alternate Richard Conescu, and Alternate Nathan Barry.

**Staff present:** Planning and Zoning Administrator Nancy Larson.

### 1. Call to Order.

*Phil Straight called the meeting to order at 7:00 p.m., and designated Leonard Worster to sit for Patrick Dwyer.*

### 2. Roll Call.

*Fran L'Heureux led the pledge of allegiance. Kevin Shea read the preamble. Phil Straight swore in members of the public who would be testifying.*

**3. Wigston Properties, LLC. & Edgebrook Heights, LLC. / Q. Peter Nash, Trustee of the Q. Peter Nash 1987 Revocable Trust (applicants/owner)** – Variance under Section 2.02.4(C)(1)(a) of the Zoning Ordinance to permit a Conditional Use Permit where each of the five (5) subject properties is less than 50 acres in size, individually and collectively (approximately 35.70 acres total). Subject parcels are located in the I-1 (Industrial) District located at 1, 37, 39, 55 and an unnumbered parcel, D. W. Highway, Merrimack, NH. Tax Map 1E, Lots 4-1 & 4-2, Tax Map 2E, Lots 6-2, 7 and 8. Case # 2013-02.

*Applicant was represented by: Attorney Brad Westgate, Winer & Bennett, LLP.*

*There was no public comment.*

*The Board voted 4-1-0 to grant the Variance, on a motion made by Kevin Shea and seconded by Fran L'Heureux. Tony Pellegrino voted in the negative.*

**4. Wigston Properties, LLC. & Edgebrook Heights, LLC. / Q. Peter Nash, Trustee of the Q. Peter Nash 1987 Revocable Trust (applicants/owner)** – Variance under Section 2.02.4(C)(1)(d) of the Zoning Ordinance to permit a Conditional Use Permit where one or more of the five (5) properties have less than 500 feet of continuous frontage on the State maintained portion of D.W. Highway located in the I-1 (Industrial) District located at 1, 37, 39, 55 and an unnumbered parcel, D. W. Highway, Merrimack, NH. Tax Map 1E, Lots 4-1 & 4-2, Tax Map 2E, Lots 6-2, 7 and 8. Case # 2013-03.

*Applicant was represented by: Attorney Brad Westgate, Winer & Bennett, LLP.*

*There was no public comment.*

***The Board voted 5-0-0 to grant the Variance, on a motion made by Fran L'Heureux and seconded by Kevin Shea.***

**5. Mark E. Twardoski & Three Palms, LLC. (applicant/owner)** – Special Exception under Section 2.02.4(E)(3) of the Zoning Ordinance to permit a caretaker residence in the I-1 Industrial, Elderly Overlay and Aquifer Conservation Districts. A portion of the property is subject to the Flood Hazard Conservation District located at 25 Greeley Street, Merrimack, NH. Tax Map 4D-1, Lot 002. Case # 2013-04.

***Applicant was represented by: Mark Twardoski, 25 Greeley Street.***

***The Board voted 5-0-0 to grant the Special Exception, on a motion made by Tony Pellegrino and seconded by Fran L'Heureux.***

**6. Discussion/possible action regarding other items of concern.**

***None.***

**7. Approval of Minutes – January 30, 2013.**

***The minutes of January 30, 2013, were approved as submitted, by a vote of 5-0-0, on a motion made by Fran L'Heureux and seconded by Tony Pellegrino.***

**8. Adjourn.**

***The meeting adjourned at 8:15 p.m., by a vote of 5-0-0, on a motion made by Tony Pellegrino and seconded by Fran L'Heureux.***